

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

ANGELA WATSON, ET AL.

* CIVIL ACTION NO. 12-2590

VERSUS

* JUDGE TOM STAGG

W.W.D., INC., d/b/a ACTION
CENTRAL CABARET

* MAG. JUDGE KAREN L. HAYES

ORDER

The Report and Recommendation of the Magistrate Judge having been considered, together with the written objections thereto filed with this Court, and, after a *de novo* review of the record, finding that the Magistrate Judge's Report and Recommendation is correct and that judgment as recommended therein is warranted,

IT IS ORDERED that the plaintiffs' motion to conditionally certify this matter as a collective action pursuant to 29 U.S.C. § 216(b) on behalf of all current and former exotic dancers who worked at Action Central Cabaret from January 1, 2010, to the present, [doc. # 12] is hereby **GRANTED**. The defendant's merit-based arguments are not appropriately considered during the notice stage of the collective action. See Morales v. Thang Hung Corp., 2009 WL 2524601, at *3 (S.D. Tex. 2009). However, the defendants may properly raise the defenses in a subsequent motion to decertify or in a motion for summary judgment after further development of the record. See Pedigo v. 3003 South Lamar, LLP, 666 F.Supp.2d 693, 700 (W.D. Tex. 2009).

IT IS FURTHER ORDERED that plaintiffs' motion to authorize notice of the collective action [doc. # 12] is **DENIED**, without prejudice to the parties' obligation to re-submit a joint notice and consent form that tracks the format in Green v. The Plantation of Louisiana, LLC, Civil Action No. 10-0364 (W.D. La. 2010) [doc. #s 66 and 95] (see attached).

THUS DONE AND SIGNED this 9th day of May, 2013,
Shreveport, Louisiana.



TOM STAGG
UNITED STATES DISTRICT JUDGE